

This Examiner's Amendment is in response to interview held with a Mr. Kimton Eng on October 10 and 13, 2008. Claim 12 is amended herein. Currently Claims 8 and 12 are pending and allowed below, claims 1-7 and 9-11 being previously canceled.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kimton Eng on October 10, 2008.

Amendments to the Claims:

12. (Currently Amended) The method of claim 8 ~~44~~, further comprising committing the shift, which has been modified to fit the order, to a database.

ALLOWANCE

The following is an allowance. Claims 8 and 12, as amended above, are allowed below.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance.

The present invention is directed to a computer readable medium having instructions stored thereon for causing a computer to perform a method for assigning an order to a schedule.

The closest prior art Powell et al., U.S. Patent Publication No. 2001/0049619 and/or WebVan, as evidenced by at least Clyde, Update: Material Handling in the food industry; Borders et al., WO 00/68859 and Borders et al., WO 00/68856, fail to teach or suggest either singularly or in combination a computer readable medium having instructions stored thereon for causing a computer to perform a method for assigning an order to a schedule assigning an order to a schedule having an opening identified by iterating through a list of shifts and through a list of virtual free time blocks for each shift in the list of shifts potentially having sufficient time to accommodate the order, a virtual free time block representing an amount of time in which an order may be assigned by bumping assigned orders in a shift; generating a list of schedulable time blocks for a shift identified in a customer specified opening, the schedulable time blocks having at

Art Unit: 3624

least one of a free time block and a virtual free time block and defining a range of time having openings to which the order can be assigned, the openings resulting from analysis of orders already assigned in the shifts; intersecting the customer specified opening and a customer specified appointment window to obtain a time range defined by an overlap of the customer specified opening and the appointment window; assigning the order to a candidate opening if a schedulable time block from the list of schedulable time blocks includes at least one candidate within the time range; where a customer has specified the appointment window and not specified an opening for the order, checking a list of openings for overlap with the appointment window; generating a list of schedulable time blocks if there is no overlap, each of the schedulable time blocks in a list having at least one of a free time block and a virtual free time block and defining a range of time having openings to which the order can be assigned; assigning the order to the schedule if there is an opening in the list of openings that overlaps with the appointment window or an opening in the list of schedulable time blocks that overlaps with the appointment window; incrementing the time required to travel to the order and from the order to a next order, incrementing a booked time for the shift by an amount of time needed for traveling to the order and an amount of time needed to work on the order, and adjusting a load level of the shift to account for the order; in response to having accurate travel time information, aggregating orders closely related for assignment to a same mobile service representative; in response to not having accurate travel time information, aggregating orders in close proximity based on address information; and creating one or more usable free time blocks with greater duration to fit

Art Unit: 3624

unassigned orders by defragmenting free time blocks as recited in independent Claim 8.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624